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10/581,327	06/01/2006	Hiroji Masuda	5259-000065/US/NP	3625
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HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303			WOLDEKIDAN, HIBRET ASNAKE	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/581,327	MASUDA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Hibret A. Woldekidan	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 01 June 2006.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-19 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-19 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 9/26/08, 2/12/08, 06/01/06.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9, 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Islam et al.(US 20030133179)

Considering Claim 1 Islam discloses an optical fiber communication system(i.e. optical fiber distribution system(**See Paragraph 183, fig. 12a i.e. optical communication system**) comprising: silica fiber as a gain medium for Raman amplification to amplify a signal light (**See Paragraph 5,83, fig. 12a i.e. optical fiber amplifier to amplify the optical signal. The Raman amplifier gain result from silica fibers(See Paragraph 5,7)**);a pumping light source that emits a pumping light that co-propagates through the silica fiber in the same direction as the signal light (**See Paragraph 183, fig. 12A i.e. a first pump source emitting light in the ~1365-1390nm wavelength range co-propagates with the incoming signal light**); and a multiplexer disposed between the silica fiber and the pumping light source that multiplexes the signal light and the pumping light(**See fig. 12A i.e. a WDM unit disposed between optical fibers for multiplexing the signal light with the pump light**),wherein the multiplexer is provided with a means to multiplex the signal light input thereto having a wavelength longer than the zero-dispersion wavelength of the silica fiber and the

pumping light emitted from the pumping light source(See fig. 12a, paragraph 144 i.e. the incoming signal has a wavelength of 1550nm which is longer than the zero-dispersion wavelength(See Paragraph 144 the zero dispersion wavelengths are 1524nm,1533nm,1536nm). As illustrated in fig. 12A, the WDM unit multiplexes the incoming signal to the signal emitted from the first pumping unit), and the pumping light source is equipped with a means to emit pumping light(See Paragraph 119, fig. 11 i.e. the pumping source is equipped with different light emitting diodes), with the longest wavelength of the pumping light being shorter than the shortest wavelength of the signal light by a frequency difference on a low-frequency side of 13.7 to 30 THz(See Paragraph 183 i.e. the co-propagating pump(first pump) has a shorter wavelength than the incoming signal by a frequency of 26.4 THz) .

Islam does not explicitly discuss the fiber discussed in fig. 12 is a silica fiber. However, he discussed the Raman amplifier gain results from silica fibers(See Paragraph 5,7). Moreover silica fibers are a well known transmission medium. Therefore, it would have been obvious to one of ordinary skilled in the art to consider the fiber used as a gain medium in Islam is a silica fiber.

Considering Claim 2 Islam discloses the optical fiber communication system in accordance with claim 1, wherein the silica fiber is a dispersion-shifted fiber(See Paragraph 137, fig. 6 i.e. the transmission fibers are DRA(Distributed Raman Amplifier. As further discussed in Paragraph 137, the Raman amplifiers made in dispersion-shifted fiber), and the signal light comprises a plurality of wavelengths in the L band (See Paragraph 128 i.e. since the L-band covers wavelength in the

**range of 1530-1610nm and the signal light has wavelength 1550nm, the signal light is included in the L-band).**

Considering Claim 3 Islam discloses the optical fiber communication system in accordance with claim 1, wherein the silica fiber is a non-zero dispersion-shifted fiber(**See Paragraph 180,181, fig. 6 i.e. a NZ-DSF transmission fiber**), and the signal light comprises a plurality of wavelengths in the C band(**See Paragraph 21,128 i.e. since the C-band includes wavelength in the range of 1530-1565nm and the signal light has wavelength 1550nm, the signal light is included in the c-band**).

Considering Claim 4 Islam discloses the optical fiber communication system in accordance with claim 1, wherein a remotely-pumped double-pass EDF module is provided at a signal light output stage of the silica fiber, and the wavelength of the pumping light is not less than 1430 nm and not more than 1470 nm(**See Paragraph fig. 12b i.e. EDFA is provided in a bidirectional transmission fiber near the output stage where the wavelengths of the second pumping unit is in the range of about 1450-1470nm).**

Considering Claim 5 Islam discloses the optical fiber communication system in accordance with claim 1, wherein a remotely-pumped single-pass EDF module is provided at a signal light output stage of the silica fiber, and the wavelength of the pumping light is not less than 1440 nm and not more than 1470 nm(**See Paragraph fig. 12b i.e. EDFA is provided in a bidirectional transmission fiber near the output stage where the wavelengths of the second pumping unit is in the range of about 1450-1470nm).**

Considering Claim 6 Islam discloses the optical fiber communication system in accordance with any one of claims 1 through 5, wherein the pumping light source is a laser diode with a fiber Bragg grating or a fiber laser(**See Paragraph 188, fig. 39 i.e. the pumping source is equipped with different light emitting diodes(3902-3912) and Bragg-gratings(3922-3932)**).

Considering Claim 7 Islam discloses the optical fiber communication system in accordance with claim 2 or claim 3, wherein when the minimum value of the wavelength of the signal light is  $\lambda_S$ , the minimum value of the zero-dispersion wavelength of the silica fiber is  $\lambda_0$ , and the maximum value of the wavelength of the pumping light from the pumping light source is  $\lambda_P$ , the wavelength of the signal light, the zero-dispersion wavelength, and the wavelength of the pumping light are set so that  $2\lambda_0 - \lambda_S > \lambda_P$ (**See Paragraph 144,fig. 12A i.e. the zero dispersion wavelengths( $\lambda_0$ ) is 1524nm,1533nm,1536nm; and the incoming signal( $\lambda_S$ ) is about 1550nm(see fig. 12A); and the maximum pump wavelength( $\lambda_P$ ) is about 1450nm. Therefore,  $2\lambda_0 - \lambda_S > \lambda_P \Rightarrow 2(1524nm) - 1550nm > 1450nm \Rightarrow 1498nm > 1450nm$** ).

Considering Claim 8 Islam discloses the optical fiber communication system in accordance with claim 7, wherein the pumping light source is a multiwavelength laser diode with a fiber Bragg grating or a Fabry-Perot laser diode(**See Paragraph 188, fig. 39 i.e. the pumping source is equipped with different light emitting diodes(3902-3912) and Bragg-gratings(3922-3932)**), and the wavelength of the signal light, the zero-dispersion wavelength, and the wavelength of the pumping light are set so that  $2\lambda_0 - \lambda_S > \lambda_P + 10$ (**See Paragraph 144,fig. 12A i.e. the zero dispersion wavelengths( $\lambda_0$ ) is**

**1524nm,1533nm,1536nm; and the incoming signal( $\lambda_s$ ) is about 1550nm(see fig. 12A); and the maximum pump wavelength( $\lambda_p$ ) is about 1450nm. Therefore,  $2\lambda_0 - \lambda_s > \lambda_p + 10 \Rightarrow 2(1524\text{nm}) - 1550\text{nm} > 1450\text{nm} + 10 \Rightarrow 1498\text{nm} > 1450\text{nm} + 10$ ..**

Considering Claim 9 Islam discloses the optical fiber communication system in accordance with claim 7, wherein the pumping light source is a fiber Raman laser, a laser diode with a single-wavelength fiber Bragg grating, a laser diode with a multiwavelength fiber Bragg grating, or a Fabry-Perot laser diode(See Paragraph 188, fig. 39 i.e. the pumping source is equipped with different light emitting diodes(3902-3912) and Bragg-gratings(3922-3932)), and the wavelength of the signal light, the zero-dispersion wavelength, and the wavelength of the pumping light are set so that  $2\lambda_0 - \lambda_s > \lambda_p + 15$ .(See Pararaph 144,fig. 12A i.e. the zero dispersion wavelengths( $\lambda_0$ ) is 1524nm,1533nm,1536nm; and the incoming signal( $\lambda_s$ ) is about 1550nm(see fig. 12A); and the maximum pump wavelength( $\lambda_p$ ) is about 1450nm. Therefore,  $2\lambda_0 - \lambda_s > \lambda_p + 15 \Rightarrow 2(1524\text{nm}) - 550\text{nm} > 1450\text{nm} + 15 \Rightarrow 1498\text{nm} > 1450\text{nm} + 15$ ).

Considering Claim 14 Islam discloses the optical fiber communication system in accordance with claim 2 or claim 3, wherein a power spectrum of the signal light is set so that the power of the signal light input to the silica fiber decreases the further to the short wavelength side where the Raman gain due to the Raman amplification is large(See Paragraph 127 i.e. the shorter wavelength has a large power at the beginning of the transmission line, however the high power shifted from the short

**wavelength to the long wavelength down the transmission line. This shows that the power of the short wavelength side decreases down the transmission power).**

Considering Claim 15 Islam discloses the optical fiber communication system in accordance with claim 1, wherein the silica fiber is silica fiber laid throughout a city (See Paragraph 3 i.e. optical fibers for broad band communications).

Considering Claim 16 Islam discloses The optical fiber communication system in accordance with claim 1, wherein the silica fiber is silica fiber for lumped optical amplification(See fig. 12,35 i.e. optical fiber for lumped optical amplification).

17. The optical fiber communication system in accordance with claim 1, wherein the wavelength of the signal light is a single wavelength, with the difference between the wavelength of the signal light and the longest wavelength of the pumping light being, in terms of a frequency difference, 15.6 THz or more.

3. Claims 10,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Islam et al.(US 20030133179) in view of Mitsuda et al. (5,936,763)

Considering Claim 10 Islam disclose a channel spacing of less than 10 nm(Paragraph 163).

Islam does not specifically disclose the optical fiber communication system in accordance with claim 8, wherein the width of the multiwavelength is 10 nm or less

Mitsuda teaches the optical fiber communication system in accordance with claim 8, wherein the width of the multiwavelength is 10 nm or less(See Col. 3 lines 38-41, Col. 5 lines 35-40, fig. 1 i.e. the channel width of a multiwavelength pumping sources is less than 10nm).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Islam, and have the multiwavelength to have a width of 10 nm or less, as taught by Mitsuda, thus providing an efficient transmission system by narrowing the width of each channel so that the number of transmitted channels can be increased as well as the output power resulting many users can be concurrently serviced by the optical communication system, as discussed by Mitsuda (col. 4 lines 66-Col. 5 line 2).

Claim 18 is rejected for the same reason as in the claim 10.

4. Claims 11,19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Islam et al.(US 20030133179) in view of Wai et al. (20040184491).

Considering Claim 11 Islam does not specifically disclose the optical fiber communication system in accordance with claim 8, wherein the pumping light source is provided with a variable attenuator on an output side of a polarization multiplexing Fabry-Perot laser diode to adjust an output of the pumping light from each Fabry-Perot laser diode pumping light

Considering Claim 11 Wai teaches the optical fiber communication system in accordance with claim 8, wherein the pumping light source is provided with a variable attenuator on an output side of a polarization multiplexing Fabry-Perot laser diode to adjust an output of the pumping light from each Fabry-Perot laser diode pumping light(**See Paragraph 91, fig. 3 i.e. a light source is provided with a variable attenuator to adjust the output signal on an outside of a Fabry-Perot Laser diode).**

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the invention of Islam, and have the pumping light source to be provided with a variable attenuator on an output side of a polarization multiplexing Fabry-Perot laser diode to adjust an output of the pumping light from each Fabry-Perot laser diode pumping light, as taught by Wai, thus providing an efficient transmission system by providing a variable attenuator to control and stabilize the output power of a rapidly changing state of polarization, as discussed by Wai (Paragraph 5).

Claim 19 is rejected for the same reason as in the claim 11.

5. Claim 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Islam et al.(US 20030133179) in view of Yokota et al. (6,424,459).

Considering Claim 12 Islam discloses the optical fiber communication system in accordance with claim 2 or claim 3, wherein the optical fiber communication system has an erbium-doped fiber amplifier having: an erbium-doped fiber gain block provided with erbium-doped fiber as a gain medium(**See Paragraph 121,fig. 12a i.e. erbium doped fiber amplifier provided as a gain medium**); a gain equalization optical filter disposed before or after the erbium-doped fiber gain block(**See fig. 10 a filtering unit is provided with the gain medium**);

Islam discloses measuring the gain performance of the amplifying unit and a dispersion compensating fiber for compensating for compensating based on the determined performance of the fiber(**See Paragraph 145,146**)

Islam does not explicitly disclose a population inversion detection circuit that measures a population inversion amount in the erbium-doped fiber; and a population inversion adjustment circuit that controls the erbium-doped fiber gain block so that the

population inversion amount measured by the population inversion detection circuit is a prescribed value.

Yokota teaches a population inversion detection circuit that measures a population inversion amount in the erbium-doped fiber; and a population inversion adjustment circuit that controls the erbium-doped fiber gain block so that the population inversion amount measured by the population inversion detection circuit is a prescribed value(**See Col. 5 line 66-Col. 6 line 11, Col. 3 lines 4-10, Col. 6 lines 52-58, fig. 3 i.e. measuring the population inversion amount in EDF amplifiers and adjusting the output power of the EDF amplifiers based on the determined gain**).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Islam, and have a population inversion amount in the erbium-doped fiber to be measured; and a population inversion adjustment circuit that controls the erbium-doped fiber gain block so that the population inversion amount measured by the population inversion detection circuit is a prescribed value, as taught by Yokota, thus providing an efficient transmission system by controlling the gain of each EDF for broadening a wavelength region where a flat wavelength characteristic gain is obtained, as discussed by Yokota (Col. 2 lines 21-26).

Considering Claim 13 Yokota teaches the optical fiber communication system in accordance with claim 12, wherein the excited-state filling factor  $N_2$  of the erbium-doped fiber is less than 38%.

According to Paragraph 142 of the specification of the current application, "...*the excited-state filling factor  $N_{sub.2}$ , which is the population inversion amount, being 42%*,"

*40%, 38%, 36%, and 34%. In FIG. 16, the horizontal axis represents wavelength (nm), while the vertical axis represents gain (dB). As is clear from FIG. 16, the flat gain is approximately 20 dB in the L band when the excited-state filling factor N.sub.2 is 38%..."*

Similarly, Yokota teaches a population inversion factor near 38% for an L-band of EDFA having a population inversion factor near 38% (See Col. 6 lines 6-9, fig. 3).

### ***Conclusions***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hibret A. Woldekidan whose telephone number is (571)270-5145. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on 5712723078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. A. W./  
Examiner, Art Unit 2613

/Kenneth N Vanderpuye/  
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